

Subject: Re: Second follow-up — ALPR/Flock public records request #26-174, filed June 28, 2026
Date: Wednesday, September 2, 2026 at 3:29:46 PM Eastern Daylight Time
From: Tulchin, Matthew
To: Mark Williams
CC: Public Records Request, Nicholson, Tiara
Attachments: image001.jpg, image002.jpg, image.png, image.png, image.png, image.png, image.png, image.png, 2025 Leonardo PO.pdf, Automated_License_Plate_Readers__ALPRs_.pdf, NC-NCCU PD_MOU_2023-3-8.pdf, Quote #33422 - Leonardo Street Sentry LPR Hardware Warranty Coverage Renewal - September 2026 - NCCU_Redacted.pdf

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Attorney Williams,

The University has no objection to the proposed mediators. However, we are producing the records responsive to your request, which we believe obviates the need for mediation.

Specifically, the University is producing the following records:

1. Memorandum of Understanding with the Atlanta-Carolinas High Intensity Drug Trafficking Area;
2. NCCU ALPR Policy;
3. 2025 Agreement with Leonardo Street Sentry; and
4. 2026 Renewal Quote with Leonardo Street Sentry.

Please also be advised that I will be leaving the University effective September 11. Any correspondence regarding this matter after that date should be directed to my colleague, Tiara Nicholson, who is copied on this email.

In Truth and Service,

Matthew Tulchin

General Counsel
Office of Legal Affairs
Shepard Administration Building, Ste. 218
1801 Fayetteville Street
Durham, NC 27707
Office: (919) 530-7558



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From: Mark Williams <mwilliams@ricefamilylaw.com>
Sent: Thursday, August 27, 2026 10:09 PM
To: Tulchin, Matthew <mtulchin@nccu.edu>
Cc: Public Records Request <publicrecordsrequest@NCCU.EDU>; Nicholson, Tiara <tnicho44@nccu.edu>
Subject: Re: Second follow-up — ALPR/Flock public records request #26-174, filed June 28, 2026

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Dear Mr. Tulchin,

Following up on my August 14 note. We agreed to mediate, and I proposed two NCDRC-certified Superior Court mediators — **Hon. William H. Freeman** and **Hon. Charles K. "Ken" McCotter, Jr.** — either of whom would serve remotely and statewide. I haven't yet heard back on the neutral or received the contract, so I want to keep this moving.

Two quick asks, by **Wednesday, September 3, 2026:**

- Please confirm whether **Freeman or McCotter** is acceptable, or name an alternate and we'll confer to select. Once we settle on the neutral, I'll circulate the draft AOC §7A-38.3E form for your review before filing in Durham Superior Court.
- Please produce the **Flock Safety or other ALPR vendor contract** — the item the University committed to review and produce first. As you noted, that production may narrow the dispute or moot it entirely; either way, the contract leads.

I'm glad to take the rest on a rolling basis and to talk through any of it by phone if that's quicker.

Respectfully,

~Mark

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From: Mark Williams <mwilliams@ricefamilylaw.com>

Date: Friday, August 14, 2026 at 8:53 PM

To: Tulchin, Matthew <mtulchin@nccu.edu>

Cc: Public Records Request <publicrecordsrequest@NCCU.EDU>; Nicholson, Tiara <tnicho44@nccu.edu>

Subject: Re: Second follow-up — ALPR/Flock public records request #26-174, filed June 28, 2026

Dear Mr. Tulchin,

Thank you — I'm glad we've reached agreement to mediate, and I appreciate the University's willingness to determine in the short term whether it holds a Flock Safety or other ALPR contract and to produce the responsive public portions. That is the right first step; I'd ask that the **contract lead the production**, as it narrows the dispute either way. Quite frankly, the production could make further issues moot but we will know more when that occurs.

On the neutral: because the mediation can be conducted **remotely**, we aren't limited by geography, and I'd propose two retired judges — both NCDRC-certified Superior Court mediators with directly relevant case experience:

- **Hon. William H. Freeman** (Bermuda Run) — Resident Superior Court Judge (ret.), 24 years on the bench, 2,000+ mediations; experience including education, local government, and civil rights. (336) 722-8872.
- **Hon. Charles K. "Ken" McCotter, Jr.** (New Bern) — former U.S. Magistrate Judge (E.D.N.C.), 2,000+ mediations, 2023 Chief Justice's Professionalism Award; experience including education, local government/municipalities, police, and public policy. (252) 635-1005.

As full disclosure, I am a NCDRC Superior Court Mediator. I have professional relationships with many but I don't believe I have ever worked with either of these individuals and I propose them in part due to their skillset but also because I don't believe there would be any conflicts. And I further believe that either would serve statewide and remotely. Please let me know whether either is acceptable, or propose alternates and we'll confer to select.

To memorialize our agreement, **we will go ahead and prepare the appropriate AOC form reflecting the parties' agreement to mediate this dispute under N.C. Gen. Stat. § 7A-38.3E and designating the agreed mediator**, and I will circulate a draft for your review before filing with the Durham Superior Court as required by the statute.

I'm glad to take the University's production on a rolling basis, led by the contract, while we finalize the mediator. Thank you again for the constructive turn.

Respectfully,

Mark Spencer Williams

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From: Tulchin, Matthew <mtulchin@ncu.edu>

Date: Friday, August 14, 2026 at 11:19 AM

To: Mark Williams <mwilliams@ricefamilylaw.com>

Cc: Public Records Request <publicrecordsrequest@NCCU.EDU>; Nicholson, Tiara <tnicho44@ncu.edu>

Subject: Re: Second follow-up — ALPR/Flock public records request #26-174, filed June 28, 2026

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Mr. Williams,

I am writing on behalf of North Carolina Central University in response to your July 23, 2026 letter and subsequent correspondence regarding Public Records Request #26-174. The University remains committed to complying with the North Carolina Public Records Act and to providing any responsive public records within its custody or control, subject to applicable law.

The University has not denied your request or determined that responsive records are exempt from disclosure. As previously explained, the Office of Legal Affairs is managing numerous outstanding public records requests, including many that predate this request. The University processes those requests in an orderly manner based on the circumstances presented, including the volume and complexity of the records requested and the resources necessary to identify, review, and produce responsive records.

The Public Records Act does not establish a specific period within which a request must be completed or require compliance with a deadline established by a requester. Rather, it requires production "as promptly as possible" under the circumstances. N.C. Gen. Stat. § 132-6(a). The amount of time that has elapsed since this request was submitted does not establish that the University has denied access to responsive public records.

With that being said, the University accepts your proposal to participate in voluntary pre-litigation mediation under N.C. Gen. Stat. § 7A-38.3E. Please provide the names of any mediators you propose, and we will work with you to select a mediator and schedule the mediation.

In the meantime, the University is willing to determine in the short term whether it has a contract with Flock Safety or another ALPR vendor. If the University has such a contract, it will review the contract and provide any responsive public portions. The University will also work with the appropriate University offices to determine whether it possesses other records responsive to your request. Any responsive public records will be reviewed and produced, subject to applicable law. If the University determines that it does not possess records responsive to a particular category,

it will advise you accordingly. The University is willing to make responsive records available on a rolling basis when practicable.

The University will continue processing the request while arrangements for mediation are underway.

In Truth and Service,

Matthew Tulchin

General Counsel
Office of Legal Affairs
Shepard Administration Building, Ste. 218
1801 Fayetteville Street
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From: Mark Williams <mwilliams@ricefamilylaw.com>
Sent: Wednesday, August 5, 2026 11:03 AM
To: Tulchin, Matthew <mtulchin@nccu.edu>
Cc: Public Records Request <publicrecordsrequest@NCCU.EDU>; Nicholson, Tiara <tnicho44@nccu.edu>
Subject: Re: Second follow-up — ALPR/Flock public records request #26-174, filed June 28, 2026

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Dear Mr. Tulchin:

We write to propose a way to resolve Request #26-174 without litigation. By way of record: we filed the request on June 28, 2026, and followed up on July 13 and July 22. On July 23, 2026 you declined to give any timeframe — citing a "first come, first served" practice and a significant backlog, and noting that the Act sets no fixed deadline — while producing no records, setting no completion date, and identifying no exemption. We replied the same day with a formal demand letter setting out the governing law, and asked for the contract now and the remainder on a rolling basis, with an itemized statutory basis for any withholding, by August 3, 2026. That date has passed with no production and no further communication.

To date, seven constituent institutions of the sixteen-campus UNC System — Western Carolina, NC A&T, NC State, UNC Charlotte, UNC Pembroke, UNC School of the Arts, and Winston-Salem State — have produced records or begun rolling production in response to this identical request, and others have at least acknowledged it and committed to a timeframe. NCCU is the outlier: to date it has declined to commit to any timeframe at all, while producing nothing and citing no exemption.

Rather than proceed directly to a civil action under Chapter 132, we invite the University to resolve this dispute through pre-litigation mediation under N.C. Gen. Stat. § 7A-38.3E(a). That process is consensual, and it is designed for exactly this situation.

Please confirm in writing, by Friday, August 14, 2026, whether North Carolina Central University will agree to voluntary mediation of this dispute. If the University declines, N.C. Gen. Stat. § 7A-38.3E makes mediation mandatory once an action under § 132-9 is filed — so we would simply be reaching the same table after a filing rather than before one. We would prefer to reach it now. The dispute is narrow, and we believe it is resolvable.

Respectfully,

~Mark

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From: Mark Williams <mwilliams@ricefamilylaw.com>

Date: Thursday, July 23, 2026 at 10:45 AM

To: Tulchin, Matthew <mtulchin@nccu.edu>

Cc: Public Records Request <publicrecordsrequest@NCCU.EDU>; Nicholson, Tiara <tnicho44@nccu.edu>

Subject: Re: Second follow-up — ALPR/Flock public records request #26-174, filed June 28, 2026

Please see attached

~Mark

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Mark Spencer Williams

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From: Tulchin, Matthew <mtulchin@nccu.edu>

Date: Thursday, July 23, 2026 at 9:06 AM

To: Mark Williams <mwilliams@ricefamilylaw.com>

Cc: Public Records Request <publicrecordsrequest@NCCU.EDU>; Nicholson, Tiara <tnicho44@nccu.edu>

Subject: Re: Second follow-up — ALPR/Flock public records request #26-174, filed June 28, 2026

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Mr. Williams,

Thank you for your email. I appreciate your follow-up regarding the status of your public records request.

The University's practice is to process public records requests in the order in which they are received. The Office of Legal Affairs is currently managing a significant backlog of pending public records requests, and numerous requests were received before yours. Consistent with the University's practice, those requests will be addressed before your request.

North Carolina's Public Records Act does not establish a fixed deadline by which a public agency must respond to a public records request. Rather, the Act requires that requests be fulfilled as promptly as possible under the circumstances. The University is processing requests in a manner that is consistent with that obligation.

While we appreciate the comparison, the practices of other constituent institutions are not relevant to the University's handling of your request. Each institution administers its own public records process and operates under different policies, procedures, staffing, resources, and request volumes. Accordingly, the response time of another institution has no bearing on North Carolina Central University's response to your request.

The University will respond to your request in the order in which it was received. While the University endeavors to process public records requests as promptly as practicable and appreciates your patience, it cannot guarantee a specific timeframe for responding to any particular request.

In Truth and Service,

Matthew Tulchin

General Counsel

Office of Legal Affairs

Shepard Administration Building, Ste. 218

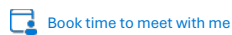
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From: Mark Williams <mwilliams@ricefamilylaw.com>

Sent: Wednesday, July 22, 2026 7:02 PM

To: Tulchin, Matthew <mtulchin@nccu.edu>

Subject: Second follow-up — ALPR/Flock public records request #26-174, filed June 28, 2026

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Dear Mr. Tulchin,

I am following up a second time on public-records request **#26-174**, submitted to North Carolina Central University on **June 28, 2026**, concerning the University's automated license plate reader program and its contract with Flock Safety or another ALPR vendor. I sent a first follow-up on **July 13**. I have not received a production or an estimated completion date.

I want to be constructive rather than adversarial, so let me offer the context I have. Two institutions in the UNC System received a materially identical request on the same day and have already produced in full: **UNC School of the Arts produced on July 1 — three days — and North Carolina A&T State University produced on July 9, eleven days.** A&T's Network Audit alone contained 1,390,776 rows. The core records here are

documents already in hand and a report generated on demand from the Flock Insights tab; this is not a research project.

N.C. Gen. Stat. § 132-6(a) requires production "as promptly as possible." Twenty-four days, with one follow-up unanswered, is difficult to reconcile with that standard when peer institutions have completed the same request in days.

To speed things along, I am glad to take production in stages. The two items of greatest public interest are:

1. The **ALPR vendor contract** — Flock Safety or any other vendor — including any amendments, renewals, or attached terms of service; and
2. The **Flock Network Audit** — Insights tab, most recent three months, exported in native CSV.

If the University produces those two now and the remaining items on a rolling basis, that fully satisfies me for the present. What I am trying to establish is straightforward: what the University agreed to, and which agencies are searching cameras on a public campus and for what stated reason.

Please let me know by **Friday, August 1, 2026** either (a) when production will be complete, or (b) which specific items the University contends are exempt, and the statutory basis for each. If any portion is being withheld, I would appreciate that in writing so the record is clear.

I am glad to speak by phone if that is quicker than correspondence.

Respectfully,

Mark Spencer Williams

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